



HOUSE OF REPRESENTATIVES

SB 1382

committee of reference; standing committee

Prime Sponsor: Senator Burges, LD 22

X Committee on Appropriations

Caucus and COW

House Engrossed

STRIKE-EVERYTHING SUMMARY

The strike-everything amendment to SB 1382 modifies statutes relating to service animals in a public place and establishes penalties for fraudulently claiming to be the owner or trainer of a service animal.

PROVISIONS

1. Adds it is not discriminatory to exclude a service animal from a public place if the following apply:
 - a. The animal is out of control and the animal's handler does not take effective action to control the animal; or
 - b. The animal is not housebroken.
2. Specifies that if a public place asks an individual to remove a service animal, the public place must give the individual the opportunity to return and obtain goods, services or accommodations without the animal on the premises.
3. Requires a service animal to be under the control of the service animal's handler.
4. Subjects an individual who fraudulently claims to be the owner or trainer of a service animal through verbal or written notice to:
 - a. A civil penalty of up to \$250 for the first violation; and
 - b. A class 2 misdemeanor for a second or subsequent violation.
5. Allows a public accommodation to ask an individual what work or task the service animal has been trained to perform.
6. Defines the term *under the control of the service animal's handler*.
7. Makes technical and conforming changes.

CURRENT LAW

[A.R.S. § 11-1024](#) states that any person or entity that operates a public place must not discriminate against individuals with disabilities who use service animals if the work or tasks performed by the service animal are directly related to the individual's disability. Work or tasks include the following: assisting individuals who are blind or have low vision with navigation and other tasks; alerting individuals who are deaf or hard of hearing; providing nonviolent protection or rescue work; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items such as medicine or the telephone; providing physical support and assistance with balance and stability to individuals with mobility

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disabilities; and helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

It is not discriminatory to exclude a service animal from a public place if one or more of the following apply: the animal poses a direct threat to the health or safety of others; the animal fundamentally alters the nature of the public place or the goods, services or activities provided; and the animal poses an undue burden. Public places may maintain a general no pet's policy if it is not used to exclude service animals.

A service animal's handler is liable for any damage done to a public place by the service animal or service animal in training. Violators are subject to a class 2 misdemeanor, which is a penalty of up to 4 months in jail with a fine of up to \$750 plus surcharges.